

Message Text

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E.O. 11652: N/A

TAGS: ECOSOC

SUBJECT: ECOSOC 55 - ITEM 18 - WIPO/UN RELATIONS

REF: GENEVA 3523

1. MAKE CLEAR U.S. POSITION AT MAY 2-4 WIPO COORDINATION COMMITTEE MEETING IS UNCHANGED. THIS MEANS YOU CAN VOTE IN FAVOR OF PRINCIPLE OF WIPO'S BECOMING A UN SPECIALIZED AGENCY, BUT YOU SHOULD RESERVE U.S. POSITION ON FINAL APPROVAL UNTIL TEXT NEGOTIATED BETWEEN WIPO AND THE UN. (PARA 27 WO/CC/IV/IO AND PARAS. 1 AND 3 OF POSITION PAPER UNEC D-593/73) WE WOULD ASSUME THAT SINCE FORM AND CONTENT OF AGREEMENT ARE FAIRLY STANDARD, IT WOULD NOT TAKE LONG TO NEGOTIATE SUCH AN AGREEMENT. WE DO NOT WANT TO TAKE LEAD ON ISSUE, HOWEVER, OR TO RUSH NEGOTIATIONS, PARTICULARLY IF THIS WOULD CAUSE PROBLEMS WITH RUSSIAN DELEGATION. WE WOULD THINK THAT WIPO OFFICIALS ALSO WOULD NOT WANT TO IRRITATE DELEGATES BY RUSHING NEGOTIATIONS SINCE FINAL APPROVAL REQUIRES 90 PERCENT VOTE IN GENERAL ASSEMBLY
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OF WIPO. AT SAME TIME, SINCE WIPO GENERAL ASSEMBLY MEETS ONLY TRIENNIALLY, WE CAN UNDERSTAND OFFICIALS' DESIRE TO

GET NEGOTIATIONS MOVING. WE WOULD, THEREFORE, NOT RPT NOT OPPOSE NEGOTIATIONS BEING COMPLETED DURING CURRENT ECOSOC SESSION.

2. FIRST INTRODUCTORY PARA OF WIPO RESOLUTION IN ANNEX

TO E/5360 CLEARLY ESTABLISHES AUTHORITY OF WIPO DIRECTOR GENERAL TO NEGOTIATE AGREEMENT. ARTICLE 8 OF WIPO CONVENTION GRANTS WIDE ADVISORY POWER TO COORDINATING COMMITTEE AND ACTION THIS COMMITTEE HAS TAKEN TO DATE DOES NOT CONFLICT EVEN WITH NARROW INTERPRETATION OF ITS AUTHORITY. CLEAR DIRECTION GIVEN BY 1970 WIPO GENERAL ASSEMBLY FULLY ADEQUATE WITHIN WIPO PROCEDURES FOR AUTHORIZING ACTIONS OF DIRECTOR GENERAL AND COORDINATING COMMITTEE UP TO FINAL DECISION STAGE WHICH MUST BE MADE BY GENERAL ASSEMBLY. LATTER MEETS NOVEMBER 1973 AND NOT AGAIN UNTIL 1976. TO INSIST ON GENERAL ASSEMBLY CONSIDERATION AT EACH STEP WOULD BE TO DELAY ACTION ON ANY ITEM INDEFINITELY.

3. AT WIPO MEETING MAY 4, 1973, FOLLOWING COUNTRIES SPOKE IN FAVOR OF RELATIONSHIP AND WIPO ACTIONS TO DATE: CAMEROON (ON BEHALF OF ALL MEMBERS OCAM), SENEGAL, FRG, U.K., SWITZERLAND, ITALY, TURKEY, SWEDEN, BRAZIL, MEXICO, U.S., EGYPT, CHILE, FRANCE, TUNISIA, HUNGARY, SYRIA, ARGENTINA, POLAND, ALGERIA, CUBA, URUGUAY, ZAIRE. JAPAN AND NETHERLANDS EXPRESSED CERTAIN RESERVATIONS BUT NOT OPPOSED TO PRINCIPLE. AUSTRALIA WAS OPPOSED. USSR AND CANADA RESERVED OPINIONS UNTIL LATER. INDIA, PAKISTAN AND SPAIN DID NOT SPEAK. SUBJECT MENTIONED BY LDC'S IN JUNE 25, 1973 WIPO MEETING VIRTUALLY AS IF IT WERE ACCOMPLISHED FACT. DEPT UNAWARE ANY LDC RESISTANCE UNTIL RECEIPT REFTEL. RUSH

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